REMARKS

Upon entry of this amendment, claims 19, 21-30, and 40–41 will be pending. Claims 19–30 stand rejected under 35 U.S.C. §103(a). By this amendment, claims 19 and 21–25 have been amended, claims 20 and 31-39 have been canceled, and claims 40 and 41 have been added. No new matter has been added.

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

§103 Rejection of Claims 19–30

In Section 11 of the Final Office Action dated January 25, 2008 (referred to hereinafter as "Office Action"), claims 19–30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Redford *et al.* (U.S. Patent No. 5,711,672; hereinafter referred to as "Redford") in view of Owens *et al.* (U.S. Patent No. 5,555,416; hereinafter referred to as "Owens").

As disclosed in the Background section of the Specification, "there is a need for a method and apparatus for facilitating the maintenance and use of a user's data, application software and computer devices. Further, there is a need for a method and apparatus that performs these functions automatically with little or no input from the user in order to prevent accidental loss of data and to provide ease of application use. Such a need would be solved by an self-contained application stored on removable media that is adapted to automatically start devices or launch application software from the removable media or the computer's hard drive upon insertion into the computer, while also saving the data files to the removable media or other predetermined location." *Specification, paragraph [0009].*

To address the problem stated above, embodiments of the present invention provide for methods of using "a removable disk … within a computing environment to maintain application software, data and devices. In accordance with the present invention, a user inserts the removable disk containing the application software to be executed into the personal computer, and the software application or device is automatically launched/started and readied for use. The present invention advantageously allows a user to maintain everything he or she needs using a removable disk." *Specification, paragraph [0018]*.

In one embodiment, a task disk control file ("TDCF") is used to enable a user to select one or more of the plurality of applications for execution.

In one embodiment, a TDCF ("task disk control file") "may control a plurality of applications [allowing] the user to select one or more of the plurality of applications for execution." *Specification, paragraph 0048*. For example, claim 19 as presented herein provides for a method of managing a plurality of **user-selectable** software programs for use with a computer device in accordance with a **task disk control file** contained on storage media external to or removable from the computer device, including:

> **detecting an insertion of the storage media into the computer device**;

> activating the storage media to establish communication with the computer device;

> determining that the **task disk control file** indicates the presence of the plurality of **user-selectable software programs** located on the storage media;

> providing from the **task disk control file** a list of the plurality of software programs located on the storage media;

> **selecting** one of the plurality of software programs for execution, wherein **a user performs said selecting**;

providing special instructions in a plurality of **task disk control sub-files corresponding to the plurality of software programs,** wherein the plurality of task disk control sub-files is located on the storage media, and the special instructions in each task disk control sub-file include configuration information, software launching information, data file storage information, and **clean-up information;**

transferring files specified in the configuration information and **configuring the computer device** in accordance with the configuration information, **wherein said transferring and said configuring changes the computer device from a first state to a second state;**

launching the selected software in accordance with the software launching information;

monitoring events to determine various stages in the operation of the selected software; and

unconfiguring the computer device upon termination of the software program by removing files transferred to the computing device and configuration settings **in accordance with the clean-up information** to essentially return the computer device to the first state.

(Emphasis added.)

Accordingly, the method of managing a plurality of software programs provided in claim 19 as presented herein includes at least determining that the **task disk control file** indicates the presence of the plurality of **user-selectable** software programs located on the storage media, providing from the **task disk control file** a list of the plurality of software programs located on the storage media, selecting one of the plurality of software programs for execution, **wherein a user performs said selecting,** providing special instructions in a **plurality of control sub-files corresponding to the plurality of software programs,** wherein the plurality of control sub-files is located on the storage media, and the special instructions in each task disk control sub-file

include configuration information, software launching information, data file storage information, and **clean-up information**, transferring files specified in the configuration information and configuring the computer device in accordance with the configuration information, **wherein said transferring and said configuring changes the computer device from a first state to a second state**, and **unconfiguring** the computer device upon termination of the software program by removing files transferred to the computing device and configuration settings **in accordance with the clean-up information** to essentially return the computer device to the first state.

The Specification discloses that in "an … embodiment, the TDCF [*i.e.*, task disk control file] 220 may control a plurality of applications. This embodiment may be used, for example, in a hard disk drive that is attached to a computer. Under this embodiment, the TDCF 220 allows the user to select one or more of the plurality of applications for execution. The TDCF 220 may present the selections to the user in a menu using text, a graphical user interface, or any other system enabling the user to make a selection. Once the user selects to run one of the programs on the media, the TDCF 220 executes the selected program according to the parameters of the TDCF 220 or a sub-TCDF [*i.e.*, task disk control sub-file]. FIG. 5 further illustrates the process of configuring the system environment from the TDCF 220 as performed in step 216."
Specification, paragraphs [0048]–[0049]. Figure 5 illustrates an example embodiment of the method, including determining "whether it is a single application TDCF 220 or a multiple application TDCF" (305), determining "all participating applications on the media"(315), and presenting "the list of participating applications to the user for selection" (320). See *Specification, paragraphs [0049]–[0051], and Figure 5*. Also, "[i]n accordance with the present invention, the TDCF 220 contains the instructions necessary to properly configure and launch the participating application upon insertion of the removable media 28, and gracefully remove

configuration settings and save data files without the need for user intervention." *Specification, paragraph [0044], and FIG. 4* (emphasis added). Further, "[i]nstructions for executing each of the participating applications may be included in the control file, or each of the applications may have a corresponding sub-TDCF. The sub-TDCF may contain similar information as described in FIG. 4." *Specification, paragraph [0050]* (emphasis added). And, "the clean-up section of the TDCF 220 is executed and the program removes all appropriate files from the main system and saves the necessary files on the removable media. As stated above, the clean-up section may remove all traces of the program operation from the main system." *Specification, paragraph [0054]* (emphasis added).

As to claim 19, the Office Action states, *inter alia*, "Redford discloses a method of managing a plurality of software programs for use with a computer device in accordance with special instructions contained on storage media external to or removable from the computer device, said method comprising: ... providing a list of the plurality of software programs located on the storage media." *Office Action, page 20, lines 15–16.* The citation to Redford, at Col. 7, lines 33–47, used to address the rejection of this element of claim 19, was supplied over the telephone on March 6, 2008.

At the cited section, Redmond discloses that "[i]n one embodiment of this invention, files with first and second predetermined names (such as DISGOKEY.EXE and DISGO.BAT) are present in a set of storage medias ...." *Redford, Col. 7, lines 39–43.* "In this embodiment, every file having the second predetermined name (such as DISGO.BAT) contains a sequence of application start-up instructions...." *Redford, Col. 7, lines 48–50.* However, Redford fails to teach or suggest providing from the task disk control file a list of the plurality of (user-selectable) software programs.

The Office Action also states that Redford discloses "selecting one of the plurality of software programs (see for example, Fig. 1D, step 117, 'Is DSIGOKEY.exe present in removable storage media peripheral which caused interrupt?')." *Office Action, page 20, lines 9–12 and 17–19.*

At the cited section, Redford discloses receiving an interrupt from any removable storage media peripheral and then checking the storage media peripheral for a key file DISGOKEY.EXE. If found and a DISGOKEY.EXE bit map is also determined to be valid, then the presence of a DISGO.BAT file in the storage media is determined. See *Redford, Figure 3, steps 115, 117, 119, 121, and 124.* Then, the "autostart driver 110 executes the command X:DISGO.BAT which executes instructions in application profile file DISGO.BAT of the removable storage media inserted by a user in the peripheral of host device 20. The application started by execution of application profile file DISGO.BAT in turn loads into main memory at least a portion of the software of the application encoded on the inserted storage media and then passes control to the application. Once the application has terminated, control returns from the application to step 129 of autostart driver 110." *Redford, Col. 8, line 65 to Col. 9, line 8.*

Specifically addressing the citation above, Redford discloses "autostart driver 110 checks to see if a security key is present in a key file of a first predetermined name on the storage media. For example, autostart driver 110 opens the key file of the first predetermined name, DISGOKEY.EXE and compares the bitmap in DISGOKEY.EXE with a bitmap locally hard coded in autostart driver 110. *Redford, Col 8, lines 24–33.* Thus, the file is not a "software program," but a "key file." Moreover, it appears that the application disclosed by Redford is neither user-selectable nor selected by a user because its execution is controlled only by an autostart driver using the DSIGOKEY.exe and DISGO.BAT files. Redford therefore fails to

teach or suggest managing a <u>plurality</u> of <u>user-selectable</u> software programs, including <u>selecting</u> <u>one of the plurality</u> of software programs for execution, <u>wherein a user performs said selecting</u>.

It is also stated in the Office Action that Redford discloses "providing special instructions in a control sub-file located on the storage media for each of the selected software programs, control sub-file including configuration information, software launching information; and data file storage information execution (see for example, Fig. 1D, step 117, 'Is DSIGOKEY.exe present in removable storage media peripheral which caused interrupt?')." *Office Action, page 3, line 19 to page 4, line 2.*

As discussed above, Redford discloses the management of a single application controlled by an autostart driver using DSIGOKEY.exe and DISGO.BAT files. By contrast, embodiments of the present invention provide for a control sub-file associated with <u>each</u> of a plurality of user-selectable software programs. Redford therefore fails to teach or suggest managing a plurality of <u>user-selectable</u> software programs, including providing special instructions in a **plurality of control sub-files corresponding to the plurality of software programs**, wherein the plurality of control sub-files is located on the storage media, and the special instructions **in each task disk control sub-file** include configuration information, software launching information, data file storage information, and **clean-up information**.

The Office Action also states that Redford discloses "transferring files and configuring the computer device from a first state in accordance with the configuration information, wherein upon configuration the computer device is in a second state execution (see for example, Fig. 1D, step 117-129, transferring DISGO.BAT and storing at variable X; executing instruction file and related text)." *Office Action, page 4, lines 3–7.*

In reference to FIG. 1D, step 127, Redford discloses that an autostart driver 110 stores

"the DISGO.BAT <u>peripheral name</u> in variable X ...." See *Redford, Figure 5, 127*. As an

example, Redford discloses that "autostart driver 110 can store the drive letter A in variable X if

a removable storage media containing application profile file DISGO.BAT and a valid key file

DISGOKEY.EXE is inserted into drive A of IBM PC host device 20. *Redford, Col. 8, lines 52–*

58. Redford does not disclose transferring the DISGO.BAT file, nor storing it at variable X, but

discloses instead storing a drive letter associated with the file because the file resides on media

inserted into the drive, but the drive letter is not itself a part of the file. Thus, Redford fails to

teach or suggest **transferring files** specified in the configuration information and **configuring**

the computer device **in accordance with the configuration information** (which is contained in

a task disk control file or task disk control sub-file), **wherein said transferring and said**

configuring changes the computer device from a first state to a second state.

The Office Action further states that Redford discloses "unconfiguring the computer

device upon termination of the software program by removing files transferred to the computing

device to essentially return the computer device to the first state (see for example, Fig. 3B1, steps

378-385 about removing current peripheral)." *Office Action, page 4, lines 15–18*.

In reference to FIG. 3B1, Redford discloses in steps 380 and 384 resetting a "use flag for

the current peripheral ..." and unloading "the loaded electronic content by releasing portions of

random access memory." See *Redford, Col. 15, lines 13–18, and Figure 3B1*. The use flag was

previously set by the autostart driver, which in step 380 is reset to indicate that the peripheral is

no longer in use. See *Redford, Figure 3B1, 349*, and *Col. 14, lines 25–26*. The content referred

to in step 384 was encoded on the inserted storage media and previously loaded into random

access memory by the autostart driver. See *Redford, Col. 14, lines 47–50*. It appears that no

files are copied, and only that random access memory is being cleared. Therefore, Redford does

not teach or suggest unconfiguring the computer device upon termination of the software program by **removing files transferred to the computing device and configuration settings in accordance with the clean-up information** to essentially return the computer device to the first state, where, as provided by claim 19 as presented herein, the **clean-up information** is obtained from a task disk control sub-file associated with the terminated software program.

Because Redford does not disclose the above-mentioned limitations of claim 19 as presented herein, claim 19 should be allowable over Redford. The Office Action further states that Redford "does not explicitly disclose determining that the control file indicates the presence of the plurality of software programs located on the storage media," and that "Owens …discloses the same feature about determining the installation programs/files on the storage media (pre-install class, an install class or a post-install class) according to the control file (rules file)…." *Office Action, page 5, line 19 to page 6, line2*. Without acquiescing to this contention, and even assuming, moreover, that Owens discloses determining the installation programs/files on the storage media according to a rules file, Owens fails to teach or suggest the limitations discussed above which Redford fails to teach or suggest. Therefore, since claim 19 should be allowable over Redford and Owens, individually or in combination, fail to teach or suggest all the limitations of claim 19.

Based on the foregoing, claim 19 should therefore be allowable over Redford and Owens. Further, since claims 20–30 depend from claim 19, claims 20–30 should also be allowable over Redford and Owens.

Accordingly, it is submitted that the rejection of claims 19–30 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

New Claims 40 and 41

Claims 40 and 41 are newly presented by this amendment and depend from independent claim 19. Based on the foregoing discussion regarding independent claim 19, and since claims 40 and 41 depend from claim 19, claims 40 and 41 should also be allowable over the cited references.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of claims 19–30, 40, and 41 in view of the remarks and submit that all pending claims are presently in condition for allowance. Applicant respectfully does not acquiesce to any of the positions set forth by the Examiner in present Office Action and/or prior Office Actions.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicants' representative at the telephone number written below. The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account **50-2075**.

Respectfully submitted,
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